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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10  
11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 ISMEL SANCHEZ,  
15 Defendant.

Case No. 2:23-mj-00143-EJY

**JOINT STATUS REPORT AND  
STIPULATION**

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
18 Frierson, United States Attorney, and Melanee Smith, Assistant United States  
19 Attorney, counsel for the United States of America, and Rene L. Valladares,  
20 Federal Public Defender, and Joy Chen, Assistant Federal Public Defender,  
21 counsel for Ismel Sanchez, that defendant's guilty plea to Reckless Driving, a  
22 violation of 36 C.F.R. § 4.2(b), N.R.S. § 484B.653(1), be withdrawn; that the  
23 government be permitted to amend the charge to Unsafe Operation, a violation of  
24 36 C.F.R. § 4.22(b)(1); that the defendant's original guilty plea and sentence be  
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1 applied to the amended charge; and that the defendant's unsupervised probation  
2 be terminated at this time.

3 This Stipulation is entered into for the following reasons:

4 1. On September 20, 2023, the parties appeared before this Court for  
5 change of plea and sentencing. ECF No. 9. At that appearance, the defendant  
6 pleaded guilty to Reckless Driving, a violation of 36 C.F.R. § 4.2(b), N.R.S. §  
7 484B.653(1).

8 2. Pursuant to the parties' agreement, the defendant agreed to be  
9 sentenced to unsupervised probation for one year, complete 50 hours of  
10 community service and pay a \$10 assessment fee, and complete a DUI course,  
11 Victim Impact Panel, and 8-hour online alcohol awareness course. The defendant  
12 also agreed not to violate any local, state, or federal laws. The parties agreed that  
13 if the defendant successfully completed his obligations within the first six months  
14 of his unsupervised probation, the parties would jointly move to allow the  
15 defendant to withdraw his guilty plea to Reckless Driving, the government would  
16 move to amend the charge to Unsafe Operation, a violation of 36 C.F.R. §  
17 4.22(b)(1), and the defendant's guilty plea and sentence would be automatically  
18 applied to the new charge. This Court ordered the parties to file a joint status  
19 report with the Court once the defendant completed all of the required conditions.

20 3. As of the filing of this stipulation, the defendant has completed all of  
21 the conditions set forth in the parties' agreement. Defense counsel has provided  
22 proof of completion to the government. The defendant also has not violated any  
23 local, state, or federal laws.

24 4. The parties therefore request that this Court permit the defendant  
25 to automatically withdraw his guilty plea to Reckless Driving, a violation of 36  
26

1 C.F.R. § 4.2(b), N.R.S. § 484B.653(1); that the government be permitted to amend  
2 the charge to Unsafe Operation, a violation of 36 C.F.R. § 4.22(b)(1); and that the  
3 defendant's original guilty plea and sentence be applied to the amended charge.

4 5. The parties also respectfully request that the defendant's  
5 unsupervised probation be terminated at this time.

6  
7  
8 DATED this 8<sup>th</sup> day of April, 2024.

9  
10 RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

11  
12 By /s/ Joy Chen  
13 JOY CHEN  
Assistant Federal Public Defender  
14 Attorney for Ismel Sanchez

By /s/ Melanee Smith  
MELANEE SMITH  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISMEL SANCHEZ,

Defendant.

Case No. 2:23-mj-00143-EJY

**FINDINGS OF FACT AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On September 20, 2023, the parties appeared before this Court for change of plea and sentencing. ECF No. 9. At that appearance, the defendant pleaded guilty to Reckless Driving, a violation of 36 C.F.R. § 4.2(b), N.R.S. § 484B.653(1).

2. Pursuant to the parties' agreement, the defendant agreed to be sentenced to unsupervised probation for one year, complete 50 hours of community service and pay a \$10 assessment fee, and complete a DUI course, Victim Impact Panel, and 8-hour online alcohol awareness course. The defendant also agreed not to violate any local, state, or federal laws. The parties agreed that if the defendant successfully completed his obligations within the first six months of his unsupervised probation, the parties would jointly move to allow the defendant to withdraw his guilty plea to Reckless Driving, the government would move to amend the charge to Unsafe Operation, a violation of 36 C.F.R. §

1 4.22(b)(1), and the defendant's guilty plea and sentence would be automatically  
2 applied to the new charge. This Court ordered the parties to file a joint status  
3 report with the Court once the defendant completed all of the required conditions.

4 3. As of the filing of this stipulation, the defendant has completed all of  
5 the conditions set forth in the parties' agreement. Defense counsel has provided  
6 proof of completion to the government. The defendant also has not violated any  
7 local, state, or federal laws.

8 4. The parties therefore request that this Court permit the defendant  
9 to automatically withdraw his guilty plea to Reckless Driving, a violation of 36  
10 C.F.R. § 4.2(b), N.R.S. § 484B.653(1); that the government be permitted to amend  
11 the charge to Unsafe Operation, a violation of 36 C.F.R. § 4.22(b)(1); and that the  
12 defendant's original guilty plea and sentence be applied to the amended charge.

13 5. The parties also respectfully request that the defendant's  
14 unsupervised probation be terminated at this time.

**ORDER**

IT IS THEREFORE ORDERED that defendant's guilty plea to Reckless Driving, 36 C.F.R. § 4.2(b), N.R.S. § 484B.653(1) is withdrawn, and the count is amended to Unsafe Operation, 36 C.F.R. § 4.22(b)(1).

IT IS FURTHER ORDERED that the defendant's original guilty plea and sentence is applied to the amended charge.

IT IS FURTHER ORDERED that defendant's unsupervised probation is terminated.

DATED this 8th day of April, 2024.

  
UNITED STATES MAGISTRATE JUDGE